

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

LINDA THORNTON, )  
Plaintiff, )  
v. )  
FLAVOR HOUSE PRODUCTS, INC., and )  
FRANKLIN D. WILLIAMS, JR., )  
Defendants. )  
)

**JOINT MOTION TO EXTEND DEADLINE FOR  
DISCOVERY RELATED TO DEFENDANT'S EXPERT**

Defendants Flavor House Products, Inc. ("Flavor House") and Frank Williams and Plaintiff Linda Thornton jointly move the Court to extend the discovery deadline by 60 days for the sole purpose of conducting discovery relating to Flavor House's expert witness. As grounds for this motion, the parties state as follows:

1. Pursuant to the Court's Order of June 19, 2008, the deadline for discovery is August 11, 2008.

2. In an effort to avoid incurring potentially unnecessary litigation costs, the parties mutually agreed to delay discovery regarding Flavor House's expert witness until after the deposition of the Plaintiff's treating physician and, ultimately, until after the mediation conference recently held on July 24, 2008.

3. Flavor House has informed counsel for the Plaintiff that it has retained an expert, and the parties are cooperating in scheduling an independent medical examination of the Plaintiff. Counsel for the Plaintiff will then depose Flavor House's expert witness. However, due to the short time available between the unsuccessful mediation conference and the current

discovery deadline, the parties will not be able to complete discovery relating to Flavor House's expert witness prior to August 11, 2008.

4. This case is currently set for trial in the January 12, 2009 trial term. The requested extension will not necessitate a continuance of the trial date or any other deadline

WHEREFORE Defendants Flavor House Products, Inc. and Frank Williams and Plaintiff Linda Thornton respectfully request that the Court extend the deadline for discovery by 60 days for the sole purpose of conducting discovery relating to Flavor House's expert witness.

/s/ Jennifer F. Swain

JENNIFER F. SWAIN  
Attorney for Defendant  
Flavor House Products, Inc.

OF COUNSEL:

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
1600 Wachovia Tower  
420 20<sup>th</sup> Street North  
Birmingham, AL 35203  
Telephone: (205) 244-3863  
Facsimile: (205) 488-3863

/s/ Richard E. Crum  
RICHARD E. CRUM  
STEADMAN S. SHEALY, JR.  
M. RUSS GOODMAN  
Attorneys for Defendant  
Franklin D. Williams, Jr.

OF COUNSEL:

Shealy, Crum & Pike, P.A.  
P.O. Box 6346  
Dothan, Alabama 36302-6346  
Telephone: (334) 677-3000

/s/ Temple D. Trueblood  
TEMPLE D. TRUEBLOOD  
ANN C. ROBERTSON  
Attorneys for Plaintiff  
Linda Thornton

OF COUNSEL:

Wiggins, Childs, Quinn & Pantazis, L.L.C.  
The Kress Building  
301 19<sup>th</sup> Street North  
Birmingham, Alabama 35203  
Telephone: (205) 314-0500

**CERTIFICATE OF SERVICE**

I hereby certify that this pleading has been filed electronically, with copies served thereby, on August 6, 2008.

Ann C. Robertson, Esq.  
Temple D. Trueblood, Esq.  
Wiggins, Childs, Quinn & Pantazis, L.L.C.  
The Kress Building  
301 19<sup>th</sup> Street North  
Birmingham, Alabama 35203

Bobbie S. Crook, Esq.  
367 South Saint Andrews Street  
Dothan, Alabama 36301

Richard E. Crum  
Steadman S. Shealy, Jr.  
M. Russ Goodman  
Shealy, Crum & Pike, P.A.  
P.O. Box 6346  
Dothan, Alabama 36302-6346

/s/ Jennifer F. Swain  
JENNIFER F. SWAIN  
Attorney for Defendant  
Flavor House Products, Inc.